



General Assembly

January Session, 2011

***Raised Bill No. 6477***

LCO No. 3853

\*03853\_\_\_\_\_JUD\*

Referred to Committee on Judiciary

Introduced by:  
(JUD)

***AN ACT CONCERNING THE UNAUTHORIZED PRACTICE OF LAW BY  
NOTARIES PUBLIC AND THE OUTSOURCING OF THE DRAFTING,  
REVIEW OR ANALYSIS OF LEGAL DOCUMENTS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

- 1       Section 1. (NEW) (*Effective October 1, 2011*) (a) A notary public shall  
2       not offer or provide legal advice to any person in immigration matters  
3       or represent any person in immigration proceedings unless such  
4       notary public has been admitted as an attorney under the provisions of  
5       section 51-80 of the general statutes or is authorized by federal  
6       regulations to practice immigration law or represent persons in  
7       immigration proceedings.
- 8       (b) A notary public shall not assume, use or advertise the title of  
9       notario or notario publico, unless such notary public has been  
10      admitted as an attorney under the provisions of section 51-80 of the  
11      general statutes.
- 12      (c) Any notary public who violates any provision of this section  
13      shall have committed a violation of subsection (a) of section 51-88 of  
14      the general statutes, as amended by this act, and be subject to the

15 penalties set forth in subsection (b) of said section.

16 Sec. 2. Subsections (a) and (b) of section 51-88 of the general statutes  
17 are repealed and the following is substituted in lieu thereof (*Effective*  
18 *October 1, 2011*):

19 (a) A person who has not been admitted as an attorney under the  
20 provisions of section 51-80 shall not: (1) Practice law or appear as an  
21 attorney-at-law for another, in any court of record in this state, (2)  
22 make it a business to practice law, or appear as an attorney-at-law for  
23 another in any such court, (3) make it a business to solicit employment  
24 for an attorney-at-law, (4) hold himself out to the public as being  
25 entitled to practice law, (5) assume to be an attorney-at-law, (6)  
26 assume, use or advertise the title of lawyer, attorney and counselor-at-  
27 law, attorney-at-law, counselor-at-law, attorney, counselor, attorney  
28 and counselor, or an equivalent term, in such manner as to convey the  
29 impression that he is a legal practitioner of law, [or] (7) advertise that  
30 he, either alone or with others, owns, conducts or maintains a law  
31 office, or office or place of business of any kind for the practice of law,  
32 or (8) draft, review or analyze legal documents for clients in this state,  
33 or research and analyze the law of this state and advise clients in this  
34 state of the status of such law.

35 (b) Any person who violates any provision of this section shall be  
36 fined not more than [two hundred and fifty] one thousand dollars or  
37 imprisoned not more than two [months] years, or both. The provisions  
38 of this subsection shall not apply to any employee in this state of a  
39 stock or nonstock corporation, partnership, limited liability company  
40 or other business entity who, within the scope of his employment,  
41 renders legal advice to his employer or its corporate affiliate and who  
42 is admitted to practice law before the highest court of original  
43 jurisdiction in any state, the District of Columbia, the Commonwealth  
44 of Puerto Rico or a territory of the United States or in a district court of  
45 the United States and is a member in good standing of such bar. For  
46 the purposes of this subsection, "employee" means any person engaged

47 in service to an employer in the business of his employer, but does not  
48 include an independent contractor.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2011</i>	New section
Sec. 2	<i>October 1, 2011</i>	51-88(a) and (b)

***Statement of Purpose:***

To clarify that notaries public who are not attorneys may not offer legal assistance in immigration matters or convey the impression that they are attorneys by the use of certain titles, to provide that outsourcing of legal document review to nonattorneys constitutes the unauthorized practice of law and to increase the penalty for the unauthorized practice of law.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*